

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|--------------------|
| STEPHANI LEWIS | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| COMMUNICATION WORKERS OF | : | |
| AMERICA, et al. | : | NO. 10-cv-05111-JF |

MEMORANDUM

Fullam, Sr. J.

March 25, 2011

Plaintiff is suing the defendants for alleged racial discrimination in her treatment during her employment. The defendants have filed a motion to quash the attempted service of process upon them.

As I understand it, the defendants contend that service was defective because it was made by registered mail, but without requiring a return receipt for the mail. This may well be correct, but I have concluded that the defendants waived the technical defect. In support of their motion to quash the service, defendants have included a sworn declaration of one of their employees, Kathleen Morrone, which established that the defendants did actually receive the summons, a copy of the complaint, etc. In my opinion, this declaration is, at the very least, equivalent to a return receipt for the documents.

The motion to quash will be denied.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.